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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

AUG 13 2010

JAMES R. LARSEN, CLERK
DEPUTY
YAKIMA, WASHINGTON

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JENNIFER PARKER,
a single person,

Plaintiff,

vs.

NCO FINANCIAL SYSTEMS
Inc., a debt collection agency;

Defendant.

NO. **CV-10-5096-RMP**

COMPLAINT FOR VIOLATION
OF 15 USC 1692c(a)(1) AND
RCW 19.86.020

COMES NOW Plaintiff-Jennifer Parker, by and through her attorney, Robert
J. Reynolds, and alleges:

PARTIES

1.1 Plaintiff-Jennifer Parker (Parker) is a resident of Kennewick,
Washington.

1.2 Defendant-NCO Financial Systems Inc. (NCO) is a debt collection
agency doing business in Kennewick, Washington.

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JURISDICTION

2.1 Through this proceeding, Parker is alleging that NCO has violated the Fair Debt Collection Practices Act 15 U.S.C. § 1692. 15 U.S.C. § 1692k(d) grants jurisdiction over such cases, "[to] any appropriate United States district court, without regard to the amount in controversy..." 15 U.S.C. § 1692k(d). Thus, this Court has jurisdiction.

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BACKGROUND

2.1 Between April 20, 2010 and April 29, 2010, Defendant-NCO called Plaintiff-Parker 49 times, 14 of which occurred before 7:30 in the morning.

2.2 Due to this harassment, Parker blocked the number from which these excessive phone calls originated.

2.3 On May 15, 2010 the harassing phone calls began again from NCO but on a different line and she received another 40 between that day and May 21, 2010, 7 of which occurred before 7:30 AM.

2.4 The harassment is ongoing.

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CLAIMS

3.1 NCO has violated 15 USC 1692c(a)(1) and RCW 19.16.250(12) by communicating with Parker outside of the legally allowed timeframe which is between 8 AM and 9 PM for 15 USC 1692c(a)(1) and 7:30 AM and 9PM for RCW 19.16.250(12).

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1 3.2 NCO has violated 15 USC 1692d(5) and RCW 19.16.250(12) by
2 continually calling her with the intent to harass and annoy. RCW 19.16.250(12)
3 states that calls are meant to harass or annoy if they occur more than three times in
4 a week.

5 3.3 NCO has additionally violated RCW 19.86.020 through violating
6 RCW 19.16.250 which is a per se violation of RCW 19.86.020. See RCW
7 19.16.440.

8 3.4 Due to NCO's harassment of Parker, Parker is entitled to a) statutory
9 and actual damages arising from Defendant's violation of the FDCPA and unfair
10 business practices, b) treble damages because the Defendant have acted in bad
11 faith, c) a reasonable attorney's fee under 15 USC 1692k(a)(3) and RCW 19.86.090
12 and d) injunctive relief forbidding NCO from attempting to collect charges for the
13 account in question in the future.


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15 **PRAYER FOR RELIEF**

16 WHEREFORE, Plaintiff prays:

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18 1. For Judgment against Defendants-NCO for the statutory damages
19 which is \$1,000 per violation or \$21,000.

7. For an injunction against Defendant-NCO forbidding NCO from further attempts to collect on the account in question.

Dated this 21 day of June, 2010.


Robert J. Reynolds WSBA #5796
Attorney for Plaintiff